



**U.S. Department of Justice**

*United States Attorney  
District of New Jersey*

*970 Broad Street, Suite 700*

*973/645-2786*

*Newark, NJ 07102*

**April 5, 2011**

Hon. Jose L. Linares  
United States District Judge  
Martin Luther King, Jr. Federal  
Building & Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

Re: Davis v. United States, Civ. No. 10-4964 (JLL)

Dear Judge Linares:

I am writing to request a three-week extension of the April 10, 2011 deadline set for the government's response to the petition to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, which has been filed by Jamila Davis.

Petitioner Jamila Davis, who was sentenced to a term of imprisonment of 151 months, has filed a petition that alleges approximately nine claims for relief and a 95-page memorandum.

Because the pleadings, transcripts and orders filed in the proceedings under attack are voluminous and most, if not all, are material to the questions raised in the petition, the government is requesting an additional three weeks within which to file an answer and attach copies of supporting documents. In addition, the government is endeavoring to obtain a certification from Davis' prior attorney, Thomas H. Nooter, Esq., for the purpose of refuting the ineffective assistance of counsel allegations.

Thank you very much for your consideration of this request. For the court's convenience, a proposed form of order is attached.

Respectfully yours,

PAUL J. FISHMAN  
United States Attorney

s/ Donna Gallucio

By: DONNA GALLUCIO  
Assistant U.S. Attorney

c: Jamila Davis

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

JAMILA DAVIS	:	Civ. No. 10-4964 (JLL)
	:	
v.	:	Hon. Jose L. Linares
	:	
UNITED STATES OF AMERICA	:	<u>ORDER FOR EXTENSION</u>
	:	<u>OF TIME</u>

THIS MATTER having come before the Court based on the letter request of the United States (Donna Gallucio, Assistant U.S. Attorney, appearing), requesting a three-week extension of the April 10, 2011 deadline set for the government's response to the petition to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, which has been filed by Jamila Davis and based upon the reasons set forth in the government's letter dated April 5, 2011, and for good cause having been shown,

IT IS on this                      day of April, 2010,

ORDERED that the government's request of a three-week extension of the April 10, 2011 deadline set for the government's response to the petition to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, which has been filed by Jamila Davis, is hereby granted; and

IT IS FURTHER ORDERED that the Clerk of the court shall cause a copy of this Order to be served upon the United States Attorney and the Petitioner.

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HON. JOSE L. LINARES  
United States District Judge